

2

910826MB

ORIGINAL

TELECOPIER
(202) 785-2804

LAW OFFICES
SMITHWICK & BELENDIUK, P.C.
2033 M STREET, N.W.
SUITE 207
WASHINGTON, D.C. 20036

Aug 27 3 00 PM '91
AUDIO SERVICES
TELEPHONE
(202) 785-2800

August 26, 1991

RECEIVED

AUG 26 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

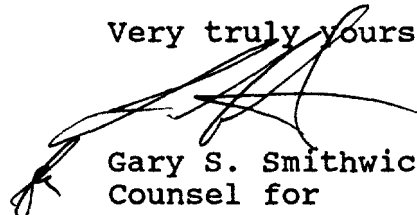
RE: Bible Broadcasting Network, Inc.
Conway, Florida
File No. BPED-890412MJ

Dear Ms. Searcy:

Transmitted herewith, on behalf of Bible Broadcasting Network, Inc., applicant for a construction permit for a new educational FM station at Conway, Florida (File No. BPED-890412MJ), are an original and four copies of a "Petition for Leave to Amend and Amendment" to the above-referenced application.

If there are any questions with respect to this matter, please communicate with the undersigned.

Very truly yours,



Gary S. Smithwick
Counsel for
BIBLE BROADCASTING NETWORK, INC.

GSS/pn
Enc.

cc: Conway Public File
Bible Broadcasting Network, Inc.

RECEIVED

AUG 27 1991

FM EXAMINERS

Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED

AUG 26 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)

BIBLE BROADCASTING NETWORK, INC.)
Conway, Florida)

File No. BPED-890412MJ

For Construction Permit)
For a New FM Station)
on Channel 202C2)
Conway, Florida)

TO: Chief, Mass Media Bureau

PETITION FOR LEAVE TO AMEND AND AMENDMENT

Bible Broadcasting Network, Inc. ("BBN"), applicant for a construction permit for a new educational FM station at Conway, Florida, by its attorney, hereby respectfully requests the Chief, Mass Media Bureau to grant it leave to amend its above-referenced application (File No. BPED-890412MJ) as set forth herein.

This amendment is being filed to update information concerning BBN's broadcast interests and applications as required by Section 1.65 of the Commission's Rules. The amendment reports that (1) effective July 26, 1991, call sign KYFL(FM) was assigned to BBN's new station at Monroe, Louisiana; (2) an application has been filed for modification of license to change from a Class A facility to a Class C2 facility for WYFD(FM), Decatur, Alabama (File No. BPED-910710MI); (3) on July 22, 1991, the Commission granted a license for WYFV(FM), Cayce, South Carolina; (4) on August 2, 1991, the Commission granted an authorization for a fixed earth station located at Chesapeake, Virginia (call letters E890804); and (5) BBN's pending application at Martinez, Georgia (File No. BPED-900125MB) was dismissed and a Petition for Reconsideration is pending.

AUG 27 3 00 PM '91
AUGUST SERVICES
DIVISION

WHEREFORE, good cause having been shown, BBN respectfully requests the Chief, Mass Media Bureau to grant it leave to amend and accept the attached amendment to its pending application.

Respectfully submitted,

BIBLE BROADCASTING NETWORK, INC.

By: 

Gary S. Smithwick
Its Attorney

SMITHWICK & BELENDIUK, P.C.
2033 M Street, N.W., Suite 207
Washington, D.C. 20036
(202) 785-2800

August 26, 1991

Washington, D.C. 20554

)
)
)
)
File No. BPED-890412MJ
)
)
)
)
)
)
)
)
)

By: Lowell Davey
President

EXHIBIT 4

BBN is a non-profit, non-stock corporation which is licensed or permitted to operate a number of radio stations and FM translators. BBN operates its stations with a non-commercial educational format. The radio stations are as follows:

<u>Call Letters</u>	<u>City of License</u>
KYFL(FM)	Monroe, Louisiana
WAVO(AM)	Decatur, Georgia
WHPE-FM	High Point, North Carolina
WHGG(FM)	Knoxville, Tennessee
WYFA(FM)	Waynesboro, Georgia
WYFB(FM)	Gainesville, Florida
WYFC(FM)	Clinton, Tennessee
WYFD(FM) ¹	Decatur, Alabama
WYFE(FM)	Tarpon Springs, Florida
WYFG(FM)	Gaffney, South Carolina
WYFH(FM)	North Charleston, South Carolina
WYFI(FM) ²	Norfolk, Virginia
WYFJ(FM) ³	Ashland, Virginia
WYFK(FM)	Columbus, Georgia
WYFL(FM) ⁴	Henderson, North Carolina
WYFN(AM)	Nashville, Tennessee
WYFO(FM)	Lakeland, Florida
WYFS(FM)	Savannah, Georgia
WYFT(FM)	Luray, Virginia
WYFV(FM) ⁵	Cayce, South Carolina
WYFW(FM)	Wichita, Kansas
WYFZ(FM)	Evans, Georgia
WYFY(FM)	Fisher, West Virginia

¹ Application pending for modification of license to change from a class A facility to a class C2 facility (File No. BPED-910710MD).

² Application granted August 12, 1991 for new auxiliary facility (File No. BPED-910404IB).

³ Application pending for modification of license to increase power (File No. BMLH-900501KA).

⁴ Application pending for modification of license to change antenna (File No. BPED-910426IF).

⁵ Application for license granted July 22, 1991 (File No. BLED-901022KI).

The FM translators are as follows:

<u>Call Letters</u>	<u>City of License</u>
W210AC	Southern Pines, North Carolina
W216AD	Schroon Lake, New York
W224AF	Danville, Virginia
W224AL	Westover Hills, Virginia
W261AM	Christiansburg, Virginia
W261AN	Blacksburg, Virginia
W296AF	Martinsville, Virginia
W296AM	Bassett Forks, Virginia
W204AN	Swainsboro, Georgia
W261AH	Radford, Virginia
W261AI	Fairlawn, Virginia
W253AA	Birmingham, Alabama
W216AK	Princeton, West Virginia
W221AK	Waynesboro, Virginia

BBN has an authorization for a fixed earth station located at Chesapeake, Virginia, granted August 2, 1991 (File No. 1687-DSE-P/L-89; call letters E890804).

BBN has applications pending for new noncommercial educational FM stations at the following communities:

<u>Community</u>	<u>FCC File Number</u>	<u>FCC Docket Number</u>
Noblesville, IN	BPED-880301ML	MM Docket No. 90-94
Live Oak, TX	BPED-880930MM	
Amarillo, TX	BPED-900730MG	
Martinez, GA ⁶	BPED-900125MB	
Alexandria, LA	BPED-900730MJ	
Lafayette, LA	BPED-900730MI	
Salina, KS	BPED-900730MH	
Pine Bluff, AR	BPED-900808MB	
Fort Smith, AR	BPED-900816MA	
Topeka, KS	BPED-901005MB	
Lubbock, TX	BPED-901005MA	

BBN has applications pending for new FM Translators at the following communities:

<u>Community</u>	<u>FCC File Number</u>	
Paris, TX	BPFT-880722TB	(Dismissed Feb. 5, 1991)
Amarillo, TX	BPFT-880725TE	(Dismissed Feb. 5, 1991)
Odessa, TX	BPFT-880725TD	(Dismissed Feb. 5, 1991)
Wichita Falls, TX	BPFT-880725TC	(Dismissed Feb. 5, 1991)

⁶ Application dismissed by Hearing Designation Order, DA 91-806, released July 22, 1991. "Petition for Reconsideration" filed August 19, 1991.

Salina, KS	BPFT-880728TB	(Dismissed Feb. 5, 1991)
Topeka, KS	BPFT-880725TC	(Dismissed Feb. 5, 1991)
Lake Charles, LA	BPFT-880801TM	(Dismissed Feb. 5, 1991)
Lafayette, LA	BPFT-880801TB	(Dismissed Feb. 5, 1991)

<u>Community</u>	<u>FCC File Number</u>	
West Monroe, LA	BPFT-880728TA	(Dismissed Feb. 5, 1991)
Tyler, TX	BPFT-880808TC	(Dismissed April 3, 1990)
Springdale, AR	BPFT-880808TB	(Dismissed Feb. 5, 1991)
Fort Smith, AR	BPFT-880808TD	
Stillwater, OK	BPFT-880810TA	(Dismissed Feb. 5, 1991)
Manhattan, KS	BPFT-880810TB	(Dismissed Feb. 5, 1991)
Emporia, KS	BPFT-880810TC	(Dismissed Feb. 5, 1991)
Jonesboro, AR	BPFT-880815TJ	(Dismissed Feb. 5, 1991)
Pine Bluff, AR	BPFT-880815TI	(Dismissed Feb. 5, 1991)
New Iberia, LA	BPFT-880815TL	(Dismissed Feb. 5, 1991)
Roswell, NM	BPFT-880815TK	(Dismissed Feb. 5, 1991)
Lufkin, TX	BPFT-880906TC	(Dismissed Feb. 5, 1991)
Midland, TX	BPFT-880822TC	(Dismissed Feb. 5, 1991)
Beaumont, TX	BPFT-880822TD	(Dismissed Feb. 5, 1991)
Bryan, TX	BPFT-880822TE	(Dismissed Feb. 5, 1991)
Van Buren, AR	BPFT-880808TD	(Dismissed Feb. 5, 1991)
Abilene, TX	BPFT-880912TF	(Dismissed Feb. 5, 1991)
Grand Island, NE	BPFT-881011TI	(Dismissed Feb. 5, 1991)
Columbia, SC	BPFT-880922TA	(Returned April 3, 1990)
Lincoln, NE	BPFT-881011TI	(Returned April 3, 1990)
Alexandria, LA	BPFT-881019TA	(Dismissed Feb. 5, 1991)
Nacadoches, TX	BPFT-881019TB	(Returned April 3, 1990)
Longview, TX	BPFT-881121TG	(Dismissed Feb. 5, 1991)
Winchester, VA	BPFT-890313TF	
Fayetteville, NC	BPFT-891023TG	(Dismissed May 2, 1991)

BBN was an applicant for a new non-commercial educational FM station at Wilmington, North Carolina. It was dismissed by the FCC after BBN did not continue to prosecute it.

Lowell Davey and Georgeanna Davey are officers and directors of Bible Broadcasting Network International, Inc., which is the permittee or licensee for the following FM translators:

<u>Call Letters</u>	<u>City of License</u>
W221AA	Stafford, VA
W221AH	Fredericksburg, VA
W221AK	Waynesboro, VA
W224AE	Wytheville, VA
W249AL	Pulaski, VA
W249AF	Salem, VA
W292CH	Williams Village, NC
W296AU	Harrisonburg, VA
W249AG	Roanoke, VA
W240AF	Charlottesville, VA

Pasted
SA

RECEIVED

AUG 22 1990

LAW OFFICES

SMITHWICK & BENEDIK, P.C.

2033 M STREET, N.W.

SUITE 207

WASHINGTON, D.C. 20036

ORIGINAL

Federal Communications Commission
Office of the Secretary

TELECOPIER

(202) 785-2804

TELEPHONE

(202) 785-2800

August 22, 1990

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

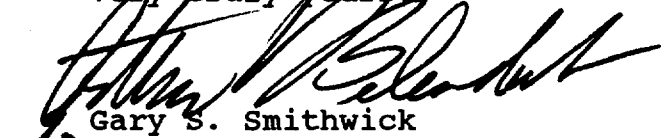
RE: Bible Broadcasting Network, Inc.
Conway, Florida
File No. BPED-890412MJ

Dear Ms. Searcy:

Transmitted herewith, on behalf of Bible Broadcasting Network, Inc., applicant for a construction permit for a new FM station at Conway, Florida (File No. BPED-890412MJ), are an original and four copies of an "Opposition to Petition to Dismiss or Deny".

If there are any questions with respect to this matter, please communicate with the undersigned.

Very truly yours,


Gary S. Smithwick
Counsel for
BIBLE BROADCASTING NETWORK, INC.

GSS/pn
Enc.

cc: As per Certificate of Service
Conway Public File
Bible Broadcasting Network, Inc.

RECEIVED

AUG 23 1990

FM EXAMINERS

Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED

AUG 22 1990

Federal Communications Commission
Office of the Secretary

In re Application of)
)
BIBLE BROADCASTING NETWORK, INC.) File No. BPED-890412MJ
)
For Authority to Construct a New)
Non-commercial Educational FM)
Station at Conway, Florida)

TO: Chief, Mass Media Bureau

OPPOSITION TO PETITION TO DISMISS OR DENY

Bible Broadcasting Network, Inc. ("BBN"), by its attorneys, and pursuant to Section 309(d) of the Communications Act of 1934, as amended, and Section 73.3584 of the Commission's Rules, hereby respectfully opposes the "Petition to Dismiss or Deny" filed July 25, 1990, against, inter alia, BBN's application, by Florida Public Radio, Inc. ("FPR").^{1,2}

FPR objects to the BBN application claiming that BBN ignored the Commission's requirements set out in Section 73.525 of the Commission's Rules. This rule applies to BBN's application because of the proximity of the BBN proposed transmitter to the transmitter of WCPX-TV

¹ FPR also directed its Petition against the applications of Southwest Florida Community Radio, Inc. (File No. BPED-891127MC), Conway, Florida; and Hispanic Broadcast System, Inc. (File No. BPED-891128ME), Lake Mary, Florida. FPR, on the same date, by a separate pleading also filed a Petition to Dismiss or Deny the application of Central Florida Educational Foundation, Inc. (File No. BPED-881207MA), Union Park, Florida.

² BBN requested an extension of time to August 22, 1990, to respond to the FPR Petition.

(operating on Channel 6), Orlando, Florida (WCPX-TV is sometimes referred to herein as "Channel 6").

FPR believes that BBN should have provided additional information to the Commission concerning the circumstances of WCPX-TV's consent to BBN's proposal.

Failing dismissal or denial of BBN's application, FPR wants the Commission to require BBN to file an interference study, and a corporate resolution from the ownership of WCPX-TV granting consent to the construction and operation of the facility proposed by BBN.

FPR's Petition should be denied. In its application, which was filed April 12, 1989, BBN proposed to locate its tower 2.95 kilometers from WCPX-TV. Because the distance from WCPX-TV precluded the FM facility from being considered as "co-located" with WCPX-TV under Section 73.3525(d) of the Rules, BBN submitted as Exhibit E-7 to its application a study concerning the potential effect on Channel 6. This was accompanied by a letter from Robert K. Diehl, Chief Engineer of WCPX-TV concerning coordination of the facilities (copy annexed as "Attachment A"). It was felt that this was sufficient to satisfy the requirements of Section 73.3525 of the Rules, especially in light of WCPX-TV's refusal at the time to permit BBN to co-locate its facilities.

After the FPR Petition to Dismiss or Deny was received, BBN counsel had a discussion with another counsel in this

proceeding, and learned that there was the potential for diplexing BBN's non-commercial educational FM signal with the Channel 6 signal using the Channel 6 antenna. Counsel for BBN communicated this to BBN principals who followed up on the matter, and on August 9, 1990, obtained a letter from WCPX-TV (copy annexed as "Attachment B") stating that WCPX-TV is willing to work toward an agreement with BBN to diplex on the WCPX-TV antenna.

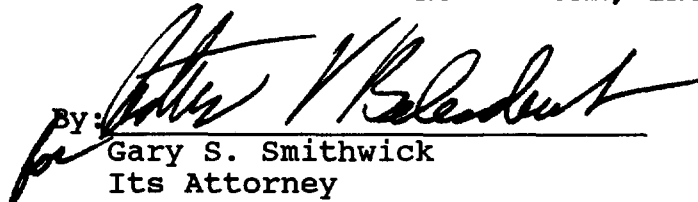
Consistent with this development, BBN is today filing a Petition for Leave to Amend and an amendment seeking to amend its application to use WCPX-TV's site and diplex through the WCPX-TV antenna.

If this amendment is accepted by the Commission, FPR's objections to the BBN application will become moot.

WHEREFORE, in consideration of the foregoing, BBN respectfully requests the Commission to deny FPR's Petition to Dismiss or Deny.

Respectfully submitted,

BIBLE BROADCASTING NETWORK, INC.

By: 
Gary S. Smithwick
Its Attorney

SMITHWICK & BELENDIUK, P.C.
2033 M Street, N.W., Suite 207
Washington, D.C. 20036
(202) 785-2800

August 22, 1990

ATTACHMENT A

February 17, 1989

Mr. Lowell Davey, President
Bible Broadcasting Network
1300 Battlefield Blvd.
Chesapeake, VA 23320



Dear Mr. Davey,

As we discussed a few days ago, TV Tower, Inc. is unable to accommodate your request for space on it's tower located at Bithlo, FL. Collocation on this tower would serve both WCPX, Ch6 in protecting it's aural carrier and allow you a spot in an overcrowded spectrum. It is unfortunate that this plan could not work out, but as we both know, there are many other factors that enter into determining such a decision.

WCPX has no objection to your location on the Gannet Tower, located approximately one and one quarter miles for the WCPX transmitter Bithlo location as long as you cooperate and resolve and all interference problems caused by your new station. Your carrier of 88.3Mhz is very close to WCPX's 87.74 aural carrier. However FM filters on the antenna terminals of TV receivers that are experiencing interference do seem to do a very good job of eliminating the problem.

As long as you assure me that you will be faithful in addressing all TVI problems that your station causes, WCPX has no objections to your going on the air as proposed, and will be more than happy to work with you. I wish you best of luck with your license application.

Best regards,

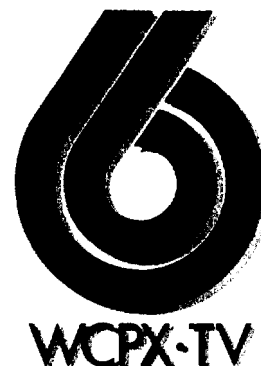
Robert K. Diehl

Robert K. Diehl
Chief Engineer

copy; Michael J. Schweitzer, G.M., file

ATTACHMENT B

August 9, 1990



Mr. Lowell L. Davey
President, Bible Broadcasting Network
Box 1818
Chesapeake, VA 23320

Dear Mr. Davey,

As we discussed yesterday, August 8th, WCPX and Central Florida Educational Foundation, Inc, have had discussions about their diplexing the 88.3MHz carrier on the WCPX Channel 6 antenna, should they receive the 88.3 allocation. No formal contract has been signed, since at the present time they don't hold the license.

Should Bible Broadcasting be awarded the license, WCPX is willing to work toward an agreement with Bible Broadcasting to diplex on the WCPX antenna. The price of the diplexer and all Engineering work would have to be born by Bible Broadcasting and subsequent details of an agreement worked out as to annual lease with all miscellaneous details. In addition Bible Broadcasting would have to assure WCPX that any Bible Broadcasting induced signal problems would be solved to our mutual satisfaction.

The existing WCPX antenna is an RCA TEF-6MB(S) located 1460 feet above average terrain. The coordinates are 28 deg. 36' 08" North by 81 deg. 05' 37" West.

Best of luck to you in your license acquisition.

Respectfully,

Robert K. Diehl
Robert K. Diehl
Chief Engineer

copy; Michael J. Schweitzer, General Manager WCPX-TV
file

CERTIFICATE OF SERVICE

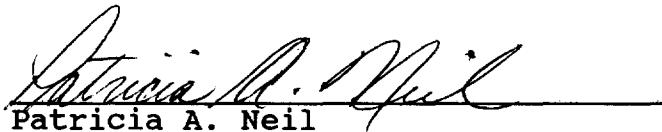
I, Patricia A. Neil, a secretary in the law firm of Smithwick, & Belendiuk, P.C., certify that on this 22nd day of August, 1990, copies of the foregoing were mailed, postage prepaid, to the following:

Mr. Dale Bickel*
Federal Communications Commission
1919 M Street, N.W.
Room 332
Washington, D.C. 20554

Mr. Randy Henry
President
Florida Public Radio, Inc.
505 Josephine Street
Titusville, Florida 32796

James L. Oyster, Esquire
Route 1, Box 203
Castleton, Virginia 22716

A. Wray Fitch, III, Esquire
Gammon & Grange
1925 K Street, N.W.
Suite 300
Washington, D.C. 20006


Patricia A. Neil

*hand delivery

RECEIVED

AUG 22 1990

LAW OFFICES

SMITHWICK & RENDIUK, P.C.

2033 M STREET, N.W.

SUITE 207

WASHINGTON, D.C. 20036

Federal Communications Commission
Office of the Secretary

TELEPHONE

(202) 785-2800

TELECOPIER

(202) 785-2804

TRIPPLICATE

August 22, 1990

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

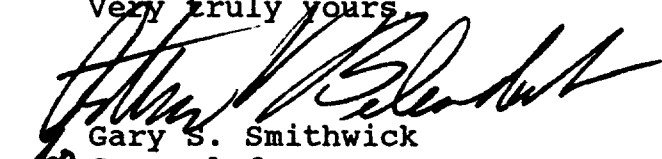
RE: Bible Broadcasting Network, Inc.
Conway, Florida
File No. BPED-890412MJ

Dear Ms. Searcy:

Transmitted herewith, on behalf of Bible Broadcasting Network, Inc., applicant for a construction permit for a new FM station at Conway, Florida (File No. BPED-890412MJ), are an original and four copies of an "Opposition to Petition to Dismiss or Deny".

If there are any questions with respect to this matter, please communicate with the undersigned.

Very truly yours,


Gary S. Smithwick
Counsel for
BIBLE BROADCASTING NETWORK, INC.

GSS/pn
Enc.

cc: As per Certificate of Service
Conway Public File
Bible Broadcasting Network, Inc.

Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED

AUG 22 1990

Federal Communications Commission
Office of the Secretary

In re Application of)
)
BIBLE BROADCASTING NETWORK, INC.) File No. BPED-890412MJ
)
For Authority to Construct a New)
Non-commercial Educational FM)
Station at Conway, Florida)

TO: Chief, Mass Media Bureau

OPPOSITION TO PETITION TO DISMISS OR DENY

Bible Broadcasting Network, Inc. ("BBN"), by its attorneys, and pursuant to Section 309(d) of the Communications Act of 1934, as amended, and Section 73.3584 of the Commission's Rules, hereby respectfully opposes the "Petition to Dismiss or Deny" filed July 25, 1990, against, inter alia, BBN's application, by Florida Public Radio, Inc. ("FPR").^{1,2}

FPR objects to the BBN application claiming that BBN ignored the Commission's requirements set out in Section 73.525 of the Commission's Rules. This rule applies to BBN's application because of the proximity of the BBN proposed transmitter to the transmitter of WCPX-TV

¹ FPR also directed its Petition against the applications of Southwest Florida Community Radio, Inc. (File No. BPED-891127MC), Conway, Florida; and Hispanic Broadcast System, Inc. (File No. BPED-891128ME), Lake Mary, Florida. FPR, on the same date, by a separate pleading also filed a Petition to Dismiss or Deny the application of Central Florida Educational Foundation, Inc. (File No. BPED-881207MA), Union Park, Florida.

² BBN requested an extension of time to August 22, 1990, to respond to the FPR Petition.

(operating on Channel 6), Orlando, Florida (WCPX-TV is sometimes referred to herein as "Channel 6").

FPR believes that BBN should have provided additional information to the Commission concerning the circumstances of WCPX-TV's consent to BBN's proposal.

Failing dismissal or denial of BBN's application, FPR wants the Commission to require BBN to file an interference study, and a corporate resolution from the ownership of WCPX-TV granting consent to the construction and operation of the facility proposed by BBN.

FPR's Petition should be denied. In its application, which was filed April 12, 1989, BBN proposed to locate its tower 2.95 kilometers from WCPX-TV. Because the distance from WCPX-TV precluded the FM facility from being considered as "co-located" with WCPX-TV under Section 73.3525(d) of the Rules, BBN submitted as Exhibit E-7 to its application a study concerning the potential effect on Channel 6. This was accompanied by a letter from Robert K. Diehl, Chief Engineer of WCPX-TV concerning coordination of the facilities (copy annexed as "Attachment A"). It was felt that this was sufficient to satisfy the requirements of Section 73.3525 of the Rules, especially in light of WCPX-TV's refusal at the time to permit BBN to co-locate its facilities.

After the FPR Petition to Dismiss or Deny was received, BBN counsel had a discussion with another counsel in this

proceeding, and learned that there was the potential for diplexing BBN's non-commercial educational FM signal with the Channel 6 signal using the Channel 6 antenna. Counsel for BBN communicated this to BBN principals who followed up on the matter, and on August 9, 1990, obtained a letter from WCPX-TV (copy annexed as "Attachment B") stating that WCPX-TV is willing to work toward an agreement with BBN to diplex on the WCPX-TV antenna.

Consistent with this development, BBN is today filing a Petition for Leave to Amend and an amendment seeking to amend its application to use WCPX-TV's site and diplex through the WCPX-TV antenna.

If this amendment is accepted by the Commission, FPR's objections to the BBN application will become moot.

WHEREFORE, in consideration of the foregoing, BBN respectfully requests the Commission to deny FPR's Petition to Dismiss or Deny.

Respectfully submitted,

BIBLE BROADCASTING NETWORK, INC.

By: 

Gary S. Smithwick
Its Attorney

SMITHWICK & BELENDIUK, P.C.
2033 M Street, N.W., Suite 207
Washington, D.C. 20036
(202) 785-2800

August 22, 1990

ATTACHMENT A

February 17, 1989

Mr. Lowell Davey, President
Bible Broadcasting Network
1300 Battlefield Blvd.
Chesapeake, VA 23320



Dear Mr. Davey,

As we discussed a few days ago, TV Tower, Inc. is unable to accommodate your request for space on it's tower located at Bithlo, FL. Collocation on this tower would serve both WCPX, Ch6 in protecting it's aural carrier and allow you a spot in an overcrowded spectrum. It is unfortunate that this plan could not work out, but as we both know, there are many other factors that enter into determining such a decision.

WCPX has no objection to your location on the Gannet Tower, located approximately one and one quarter miles for the WCPX transmitter Bithlo location as long as you cooperate and resolve and all interference problems caused by your new station. Your carrier of 88.3Mhz is very close to WCPX's 87.74 aural carrier. However FM filters on the antenna terminals of TV receivers that are experiencing interference do seem to do a very good job of eliminating the problem.

As long as you assure me that you will be faithful in addressing all TVI problems that your station causes, WCPX has no objections to your going on the air as proposed, and will be more than happy to work with you. I wish you best of luck with your license application.

Best regards,

A handwritten signature in dark ink, appearing to read 'Robert K. Diehl', is written over the typed name.

Robert K. Diehl
Chief Engineer

copy; Michael J. Schweitzer, G.M., file

ATTACHMENT B

August 9, 1990



Mr. Lowell L. Davey
President, Bible Broadcasting Network
Box 1818
Chesapeake, VA 23320

Dear Mr. Davey,

As we discussed yesterday, August 8th, WCPX and Central Florida Educational Foundation, Inc, have had discussions about their diplexing the 88.3MHz carrier on the WCPX Channel 6 antenna, should they receive the 88.3 allocation. No formal contract has been signed, since at the present time they don't hold the license.

Should Bible Broadcasting be awarded the license, WCPX is willing to work toward an agreement with Bible Broadcasting to diplex on the WCPX antenna. The price of the diplexer and all Engineering work would have to be born by Bible Broadcasting and subsequent details of an agreement worked out as to annual lease with all miscellaneous details. In addition Bible Broadcasting would have to assure WCPX that any Bible Broadcasting induced signal problems would be solved to our mutual satisfaction.

The existing WCPX antenna is an RCA TEF-6MB(S) located 1460 feet above average terrain. The coordinates are 28 deg. 36' 08" North by 81 deg. 05' 37" West.

Best of luck to you in your license acquisition.

Respectfully,

Robert K. Diehl
Robert K. Diehl
Chief Engineer

copy; Michael J. Schweitzer, General Manager WCPX-TV
file

CERTIFICATE OF SERVICE

I, Patricia A. Neil, a secretary in the law firm of Smithwick, & Belendiuk, P.C., certify that on this 22nd day of August, 1990, copies of the foregoing were mailed, postage prepaid, to the following:

Mr. Dale Bickel*
Federal Communications Commission
1919 M Street, N.W.
Room 332
Washington, D.C. 20554

Mr. Randy Henry
President
Florida Public Radio, Inc.
505 Josephine Street
Titusville, Florida 32796

James L. Oyster, Esquire
Route 1, Box 203
Castleton, Virginia 22716

A. Wray Fitch, III, Esquire
Gammon & Grange
1925 K Street, N.W.
Suite 300
Washington, D.C. 20006


Patricia A. Neil

*hand delivery